



U.S. Department of Energy  
**Office of River Protection**

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P.O. Box 450, MSIN H6-60  
Richland, Washington 99352

DEC 13 2005

05-ED-105

Mr. A. W. Conklin, Head  
Air Emissions and Defense  
Waste Section  
State of Washington  
Department of Health  
P.O. Box 47827  
Olympia, Washington 98504

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DEC 22 2005

EDMC

Dear Mr. Conklin:

STATUS OF RESPONSE TO ORDER 1 AND REQUEST FOR DUE DATE EXTENSION  
FOR ORDER 2 OF THE STATE OF WASHINGTON DEPARTMENT OF HEALTH (WDOH)  
NOTICE OF VIOLATION (NOV) AND COMPLIANCE ORDER

Reference: WDOH letter from A. W. Conklin to R. J. Schepens, ORP, and K. A. Klein, RL,  
"Notice of Violation and Compliance Order," AIR 05-1103, dated November 17,  
2005.

The WDOH issued an NOV and Compliance Order concerning the designation of the 222-S Laboratory main ventilation system, 296-S-21, as a minor emission point (Reference). The NOV and Compliance Order contains 17 Findings and three Orders. The purpose of this letter is to provide a status of actions taken pursuant to Order 1 and request an extension for the Order 2 due date.

Order 1 states in part:

Immediately begin continuous sampling of the 296-S-21 emission unit as required under WAC 246-247-075(1)(2) and 40 CFR 61.93 using the existing sampling system. The sample shall be changed out once every two weeks, and a gross alpha and gross beta analysis shall be performed.

Status: Continuous sampling of the 296-S-21 emission unit was started on October 4, 2005, and the sample media has been changed every two weeks. Analyses of gross alpha and gross beta have been performed.

Order 2 states:

Within 60 days of receipt of this Notice of Violation and Compliance Order, perform an assessment of the 296-S-21 monitoring system to determine what actions are necessary to bring the monitoring system into compliance with requirements of WAC 246-247-075. Within the same time frame, provide a schedule, for review and approval by WDOH, for completing any necessary upgrades.

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NOV, Section III, "Supplemental and Modification," states:

WDOH may supplement or modify the foregoing order if changes are warranted to ensure compliance with Chapter 246-247 WAC or to allow for your practical ability to correct the violations.

CH2M HILL Hanford Group, Inc. (CH2M HILL) is requesting an extension of 68 days, which would establish the new due date for Order 2 as March 31, 2006. The NOV and Compliance Order was received by the U.S. Department of Energy, Office of River Protection (ORP) on November 23, 2005. Therefore, the deliverables associated with Order 2 are required to be delivered to the WDOH by January 22, 2006. Pursuant to the NOV, Section III, "Supplemental and Modification," a request for extension of the due date may be made.

Thirty days of the requested extension are required to complete Items 1 and 2 below. The remaining 38 days are needed to give adequate time to finish discussions on Items 3 and 4 with the WDOH.

The requested extension is required to ensure sufficient time to:

- Fully assess the current 296-S-21 exhaust system and associated sampling and monitoring systems against the standards established for a major emission point. CH2M HILL has organized a group to perform the assessment;
- Establish a strategy for compliance based on the assessment results. A compliance strategy may include a complete system upgrade to meet all applicable standards, a request for variance from a standard based on equivalent protection, or a combination of both;
- Meet with WDOH staff to discuss the results of the assessment and proposed compliance strategy with the intent to reach agreement and obtain concurrence for the path forward; and
- Discuss the proposed compliance schedule and obtain WDOH concurrence prior to formal submittal of the compliance schedule.

Telephone discussions with WDOH staff on November 28 and 30, 2005, indicate that they are willing to consider the requested extension.

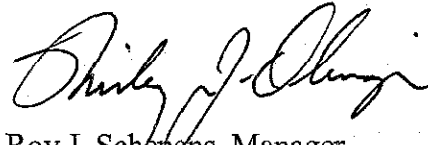
Mr. A. W. Conklin  
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If you have any questions, please contact me, or your staff may contact Dennis W. Bowser, Environmental Division, (509) 373-2566.

Sincerely,

  
for Roy J. Schepens, Manager  
Office of River Protection

ED:DWB

cc: B. G. Erlandson, BNI  
E. S. Aromi, CH2M HILL  
D. J. Carrell, CH2M HILL  
P. C. Miller, CH2M HILL  
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